

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F059554 Central Valley Orthopedic and Spine Institute, L.P. v. Sanders Enterprises, L.P.

Upon motion of appellant and good cause appearing, this court's order filed February 25, 2010, dismissing the above entitled appeal is vacated. The appeal is reinstated.

The Superior Court is ordered to proceed with preparation of the record in accordance with the applicable rules of the California Rules of Court.

F056987 Oudin et al. v. Erwin et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F057620 People v. Cooley

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056447 People v. Alexander

The judgment is affirmed. Cornell, J.

We concur: Levy, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F058087 In re J.G., A Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F058087 In re J.G., a Minor

The juvenile court's order setting appellant's maximum term of confinement is reversed and the juvenile court is directed to vacate it on remand. The remaining orders of the juvenile court are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056887 People v. Armas

The conviction for lewd or lascivious acts by force is reversed. If the prosecution seeks to retry defendant for the lewd or lascivious act by force in count 2, it must also retry defendant for the lewd or lascivious act in count 1 because the unanimity instructional error makes it impossible to determine if defendant's convictions were based on one act or two different acts. If, after the filing of the remittitur in the trial court, the People do not bring defendant to retrial on both of the charged offenses within the time limit of Penal Code section 1382, subdivision (a)(2), the trial court shall proceed as if the remittitur constituted an affirmance of the conviction of one count of a lewd or lascivious act and shall resentence defendant accordingly.

Vartabedian, Acting P.J.

We concur: Gomes, J.; Poochigian, J.

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